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SENATE RESOLUTION

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WHEREAS, On May 4, 2000, the Governor of the State of Illinois issued Executive Order No. 4 that created the Governor's Commission On Capital Punishment; and

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WHEREAS, The duties of the Commission were: (1) to study and review the administration of the capital punishment process in Illinois to determine why that process has failed in the past, resulting in the imposition of death sentences upon innocent people; (2) to examine ways of providing safeguards and making improvements in the way law enforcement and the criminal justice system carry out their responsibilities in the death penalty process from investigation through trial, judicial appeal, and executive review; (3) to consider, among other things, the ultimate findings and final recommendations of the House Death Penalty Task Force and the Special Supreme Court Committee on Capital Cases and determine the effect these recommendations may have on the capital punishment process; and (4) to make any recommendations and proposals designed to further ensure that the application and administration of the death penalty in Illinois is just, fair and accurate; and

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WHEREAS, In April 2002, the Commission issued its recommendations; and

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WHEREAS, Recommendation No. 38 was among the Commission's recommendations and provided that the the Illinois Supreme Court, or the chief judges of the various judicial districts throughout the State, should consider implementation of a process to certify judges who are qualified to hear capital cases either by virtue of experience or training, and that trial court judges should be certified as qualified to hear capital cases based upon completion of specialized training and based upon their experience in hearing criminal cases and

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1 only such certified judges should hear capital cases; and

2 WHEREAS, Section 16 of Article VI of the Illinois
3 Constitution vests general administrative and supervisory
4 authority over all courts in the Supreme Court of Illinois;
5 and

6 WHEREAS, In accordance with this authority, the Illinois
7 Supreme Court has adopted rules governing trial procedure in
8 criminal cases; and

9 WHEREAS, The adoption of Commission Recommendation No. 38
10 by the Illinois Supreme Court would serve the best interests
11 of the Illinois criminal justice system; therefore, be it

12 RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL
13 ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Illinois
14 Supreme Court to adopt Recommendation No. 38 of the
15 Governor's Commission On Capital Punishment; and be it
16 further

17 RESOLVED, That a suitable copy of this Resolution be
18 presented to the Honorable Mary Ann McMorrow, Chief Justice
19 of the Illinois Supreme Court.